

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1937



ENROLLED

HOUSE BILL No. 395

(By Mr. Morton)



PASSED March 12, 1937

In Effect from Passage

ENROLLED

House Bill No. 395

(By MR. MORTON)

[Passed March 12, 1937; in effect from passage.]

AN ACT providing financial relief for the county court of Webster County; enabling such court to lay a larger levy than the limits now prescribed for levies by county courts for current purposes in order to maintain the basic and indispensable functions of said county; prescribing further limits for such current county levy; finding as a matter of fact that such county cannot maintain the basic and indispensable functions of government within present limitations for current levies on the various classes of property; prescribing the method whereby such additional levies may be made, and authorizing the laying of the same and prescribing further maximum limits on the various classes of property for the laying of such county levy for current purposes.

Be it enacted by the Legislature of West Virginia:

Section 1. *Purpose of Act.* It is hereby found and ascertained as a matter of fact that the county court of Webster County has been compelled to levy the maximum present authorized levy for current purposes on all classes of property in the fiscal year commencing on the first day of July, one thousand nine hundred thirty-three, the first day of July, one thousand nine hundred thirty-four, and the first day of July, one thousand nine hundred thirty-five, in order to maintain the basic and indispensable functions of government for which county courts have prior to such years imposed the levies; and has further been compelled to overdraft upon the general county fund of said county for which such levy was made, in order to maintain such basic and indispensable functions of government.

Sec. 2. *Finding of Facts by County Court; Publication.*

The said county court of Webster County is therefore hereby authorized and empowered on or before the thirtieth day of June, one thousand nine hundred thirty-seven, to ascertain and find as a matter of fact the total amount of such overdrafts for each of said three fiscal years, and in such

7 case the court shall further find by as accurate an estimate
8 as can reasonably be made under the circumstances, the
9 probable amount of overdraft for the fiscal year beginning
10 the first day of July, one thousand nine hundred thirty-six;
11 and such court shall also at such time further find the prob-
12 able amount of additional funds required yearly for the
13 proper carrying into effect of the recently enacted legisla-
14 tion known as the "Public Assistance Act"; and the court
15 at such time shall also further find as a matter of fact that
16 the minimum amount of levy for current county purposes,
17 including the retirement of such overdraft during the three
18 succeeding fiscal years, and the additional amount necessary
19 for the proper carrying into effect of such "Public Assistance
20 Act", shall be required in the future for the maintenance of
21 the basic and indispensable functions of government; which
22 findings shall be entered of record by said court and a copy
23 of which findings shall be posted at the front door of said
24 courthouse of said county within three days after the date
25 thereof.

Sec. 3. *County Court Authorized to Lay Levy.* Said county

2 court of Webster County shall, at its session on the first Tues-

3 day in August of each fiscal year thereafter, change and
4 correct such finding of fact if they ascertain that the same
5 needs to be corrected in order to accord with facts at such
6 time ascertained and existing; and such court is hereby au-
7 thorized and empowered at such session to lay a levy for
8 current county purposes in the manner now provided by law.

9 And said court is hereby further authorized and empowered
10 at such session to lay an additional levy for current county
11 purposes, to be known as "additional county levy", which
12 additional county levy shall be supplemental to the county
13 current levy and the sum of the two levies shall not exceed
14 the respective amounts ascertained by such finding of fact
15 for the respective classes of property: *Provided, however,*
16 That in no case shall the sum of both levies on class I prop-
17 erty exceed eleven and twenty-five one-hundredths; on class
18 II property exceed twenty-two and five-tenths cents; and on
19 classes III and IV property exceed forty-five cents.

20 The relief provided for in this act shall be cumulative, and
21 nothing in this act shall repeal any law now existing with
22 respect to laying and collecting tax levies.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

W. B. Galt
 Chairman Senate Committee

Will H. Baker
 Chairman House Committee

Originated in the.....

Takes effect..... passage.

Chas. E. Hodge
 Clerk of the Senate

Wm. S. O'Brien
 Clerk of the House of Delegates

Chas. E. Hodge
 President of the Senate

J. R. Thomas
 Speaker House of Delegates

The within..... this the.....

day of....., 1937.

.....
 Governor.

Filed in the office of the Secretary of State
 of West Virginia. **MAR 19 1937**

Wm. S. O'BRIEN,
 Secretary of State

I certify that the foregoing act,
having been presented to the Governor for
his approval, and not having been returned
by him to the House of the Legislature in
which it originated within the time pre-
scribed by the constitution of the state, has
become a law without his approval.

This the 19th day of March,

1937.


SECRETARY OF STATE

Governor

Filed in the office of the Secretary of State
MAR 19 1937
Wm. S. O'Brien
Secretary of State